8-28-06

Attorney Docket No. YOR920030458US1

(590.118)



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

plication of

: Huras et al.

Serial No.

10/689,114

Examiner:

Unassigned

Filed

October 19, 2003

Art Unit:

2122

For

SYSTEM AND METHOD FOR REGULATING RATE OF **EXECUTION OF SOFTWARE EXECUTION UNITS** 

August 25, 2006

## INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

This Information Disclosure Statement is being filed before the mailing date of a final office action under §1.113, a Notice of Allowance under §1.311, or an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

While this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 CFR §1.98(a)(1). As required by 37 CFR §1.98(a)(2), a copy of each reference listed on the form is also attached, unless the requirement to include references has been waived.

Respectfully submitted,

FERENCE & ASSOCIATES

Dated: 8/25/06

Stanley D. Ference III Registration No. 33,879

Mailing Address:

Customer No. 47049 FERENCE & ASSOCIATES 409 Broad Street Pittsburgh, Pennsylvania 15143 (412) 741-8400 (412) 741-9292 - Facsimile

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I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10, "Express Mail" Mailing Label No. EV 736793840 US, Date of Deposit August 25, 2006, on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

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August 25, 2006

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PTO/SB/08A (10-96)

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## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet of 1

Co	mplete if Known	
Application Number	10/689,114	
Filing Date	October 19, 2003	
First Named Inventor	Huras et al.	
Group Art Unit	2122	
Examiner Name	Unassigned	
Attorney Docket Number	YOR920030458US1	

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Pater Number	nt Document  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
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	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) of

Complete if Known **Application Number** 10/689,114 **Filing Date** October 19, 2003 First Named Inventor Huras et al. Group Art Unit 2122 Examiner Name Unassigned Attorney Docket Number YOR920030458U

	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	Α	JOHN R. DOUCEUR, WILLIAM J. BOLOSKY, "Progress-based Regulation of Low-importance Processes," 17th ACM Symposium on Operating Systems Principles (SOSP '99) Published as			
		"Operating Systems Review" 34(5): 247-260, Dec. 1999			
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